

Senate Bill 274

By: Senators Harp of the 29th and Harbison of the 15th

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

To amend an Act establishing the Municipal Court of Columbus, Georgia, approved August 12, 1915 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved March 29, 1983 (Ga. L. 1983, p. 4443), and an Act approved March 28, 1985 (Ga. L. 1985, p. 4593), so as to provide that municipal court judges shall be elected on a nonpartisan basis; to increase the jurisdiction of the court in certain cases; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act establishing the Municipal Court of Columbus, Georgia, approved August 12, 1915 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved March 29, 1983 (Ga. L. 1983, p. 4443), is amended by revising Section 4 as follows:

"SECTION 4.

There shall be a judge, clerk, and marshal of said court and also a deputy clerk or clerks and a deputy marshal or marshals of said court. The regular term of offices of the judge, clerk, and marshal of said court shall each be four years, and for such regular term of office each shall be elected by the qualified voters of Muscogee County quadrennially. The judge of said court shall be elected on a nonpartisan basis."

SECTION 2.

An Act establishing the Municipal Court of Columbus, Georgia, approved August 12, 1915 (Ga. L. 1915, p. 63), as amended, particularly by an Act approved March 28, 1985 (Ga. L. 1985, p. 4593), is amended by revising subsection (a) of Section 3 as follows:

"(a) In addition to the matters and things over which said justice courts, justices of the peace, and notaries public ex officio justices of the peace now have jurisdiction, the said Municipal Court of Columbus and Muscogee County shall have jurisdiction within the

limits of Muscogee County and Columbus, Georgia, concurrent with the Superior Court of Muscogee County to try and dispose of all civil causes or proceedings, of whatever nature, whether arising ex contractu or ex delicto, under the common law or by statute, in which the principal sum sworn to or claimed to be due, or the value of the property in dispute, does not exceed \$25,000.00 which jurisdiction is not vested by the Constitution and laws of Georgia exclusively in another or other courts. The criminal jurisdiction of said municipal court shall be throughout the limits of Muscogee County and Columbus, Georgia, and shall be the jurisdiction in criminal matters exercised by justices of the peace, notaries public ex officio justices of the peace, and justice courts, and shall not exceed the jurisdiction hereafter vested by law in the magistrate courts of this state; except that the judge of said Municipal Court of Columbus and Muscogee County is empowered and authorized and given jurisdiction to accept pleas of guilty or nolo contendere and to impose punishment and penalties provided by law in all cases involving misdemeanors where preliminary hearing is waived in writing by the accused and a plea of guilty or nolo contendere entered by the accused in writing. Whenever the words 'principal amount sworn to or claimed to be due' are used in this Act, it shall be held to mean the principal amount sued for or the value of the property sued for or claimed or the alleged amount of liens sought to be enforced by the defendant, setoff, or counterclaim, exclusively of and not computing interest, hire, attorney's fees, and costs."

SECTION 3.

This Act shall become effective upon approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.